

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

CHAMBERS OF  
**ESTHER SALAS**  
UNITED STATES DISTRICT JUDGE

MARTIN LUTHER KING  
COURTHOUSE  
50 WALNUT ST.  
ROOM 5076  
NEWARK, NJ 07101  
973-297-4887

April 2, 2018

**LETTER ORDER**

**Re:   *Martocci v. Hyman, et al.***  
**Civil Action No. 16-0132 (ES) (MAH)**

Dear Parties:

On January 2, 2018, the Honorable Michael A. Hammer, U.S.M.J., ordered Plaintiff to show cause in writing, no later than January 24, 2018, why his Complaint should not be dismissed for failure to prosecute pursuant to Federal Rule of Civil Procedure 41. (D.E. No. 68). To date, Plaintiff has not responded to Magistrate Judge Hammer's Order.

On March 15, 2018, Magistrate Judge Hammer issued a Report and Recommendation recommending that this Court dismiss Plaintiff's Complaint *with prejudice* for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). (D.E. No. 75 ("R&R)). Magistrate Judge Hammer provided the parties fourteen days to file and serve any objections to the R&R pursuant to 28 U.S.C. § 636 and Local Rule 7.1(c)(2). The parties did not file any objections.

The Court has considered Magistrate Judge Hammer's Order and the R&R, and for the reasons stated therein,

IT IS on this 2nd day of April 2018,

**ORDERED** that this Court adopts Magistrate Judge Hammer's R&R in full; and it is further

**ORDERED** that Plaintiff's Complaint is DISMISSED *with prejudice* for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b); and it is further

**ORDERED** that the Clerk of Court shall TERMINATE docket entry 75 and mark this matter CLOSED.

*s/Esther Salas*  
**Esther Salas, U.S.D.J.**